

06/20/03  
U.S. PTO

Please type a plus sign (+) inside this box [+]

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No: CM1137C2 Total Pages: 25

First Named Inventor: CANN, David Victor

Title: A Toothbrush with Elastomer Filled Flexible Head

Express Mail Label No. EL 867474923 US

17513 U.S. PTO  
10/4/000022  
06/20/03

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1.  Utility Patent Application Transmittal [Total Pages: 2]
2.  Applicant(s) claim(s) small entity status, 37 CFR 1.27
3.  Specification, Claims and Abstract [Total Pages: 19]
4.  Drawing(s) (35 USC 113) [Total Sheets: 2]
5. Oath or Declaration [Total Pages: 2]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 21 completed) [Note Box 6 below]
    - i.  DELETION OF INVENTORS  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Incorporation By Reference (useable if Box 5b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

## ADDRESSED TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

7.  Microfiche Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer readable copy
  - b.  Paper copy (identical to computer copy)
  - c.  Statement verifying identity of above copies

## Accompanying Application Parts

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of attorney (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS/PTO-1449)
  - Copies of Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)
15.  Certified Copy of Priority Document(s)
16.  Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i)
17.  Other: (1) Request for Interference Pursuant to 37 C.F.R. §1.607; (2) Statement Under 37 C.F.R. §1.608(a) in Support of Request for Interference Under 37 C.F.R. §1.607; (3) copy of Associate Power of Attorney from parent application.

## 17. FEE CALCULATION

| CLAIMS | (1) FOR  | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE  | (5) CALCULATIONS  |
|--------|--|------------------|------------------|---|-------------------|
|        | TOTAL CLAIMS (37 CFR 1.16(c))                              | 30 -20 =         | 10               | x \$18 =  | \$ 180.00         |
|        | INDEPENDENT CLAIMS (37 CFR 1.16(b))                        | 8 - 3 =          | 5                | x \$84 =  | \$ 420.00         |
|        | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) |                  |                  | + \$ _____ =  | \$ --             |
|        |  |                  |                  | BASIC FEE (37 CFR 1.16(a))                                  | \$ 750.00         |
|        |  |                  |                  | Total of above Calculations =                               | \$1,350.00        |
|        |  |                  |                  | Reduction by 50% for filing by small entity (37 CFR 1.27) = | \$ --             |
|        |  |                  |                  | <b>TOTAL =</b>  | <b>\$1,350.00</b> |

18.  Please charge Deposit Account No. 04-1133 in the amount of \$ \_\_\_\_\_.

19. a.  A check in the amount of \$ \_\_\_\_\_ is enclosed.

b.  Please charge the amount of \$1,350.00 to our Visa credit card account. Form PTO-2038 is attached.

20.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 04-1133:

a.  Fees required under 37 CFR 1.16

b.  Fees required under 37 CFR 1.17

21. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

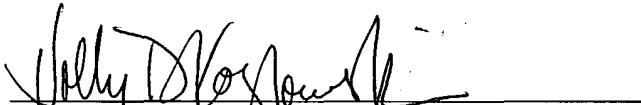
Continuation  Divisional  Continuation-in-part (CIP) of prior application No. 10/132,976, filed April 24, 2002, which is a continuation of Application No. 09/101,918 filed August 20, 1998, which is a 371 of PCT/US 97/00968 filed January 17, 1997.

**22. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label 27752 or  Correspondence Address Below

|         |                                       |           |              |          |              |
|---------|---------------------------------------|-----------|--------------|----------|--------------|
| Name    | The Procter & Gamble Company          |           |              |          |              |
|         | Intellectual Property Division        |           |              |          |              |
| Address | Winton Hill Technical Center, Box 161 |           |              |          |              |
|         | 6110 Center Hill Avenue               |           |              |          |              |
| City    | Cincinnati                            | State     | OH           | Zip Code | 45224        |
| Country | USA                                   | Telephone | 513-622-4433 | Fax      | 513-622-3300 |

Respectfully submitted,



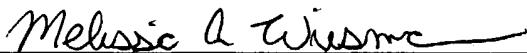
Holly D. Kozlowski  
Registration No. 30,468  
Attorney for Applicant(s)  
Dinsmore & Shohl LLP  
1900 Chemed Center  
255 E. Fifth Street  
Cincinnati, OH 45202  
(513) 977-8568

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label #: EL 867474923 US

Date of Deposit: June 20, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application; P.O. Box 1450; Commissioner for Patents; Alexandria, VA 22313-1450.



915557  
9116-697

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

06/24/2003 RMEBRAHT 00000020 10600032

|            |        |    |
|------------|--------|----|
| 01 FC:1001 | 750.00 | OP |
| 02 FC:1201 | 420.00 | OP |
| 03 FC:1202 | 180.00 | OP |

PTO-1556  
(5/87)